

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

KEVIN DEBNAM, #1074319,

Plaintiff

v.

SAN ANTONIO POLICE DEPARTMENT,
ET AL.,

Defendants.

§
§
§
§
§
§
§
§
§

SA-19-CV-1100-XR (ESC)

ORDER

Before the Court is Plaintiff Kevin Debnam's *pro se* 42 U.S.C. § 1983 Civil Rights Complaint [#1] and Application to Proceed In Forma Pauperis ("IFP") [#2]. Plaintiff is currently incarcerated at the Bexar County Adult Detention Center ("BCADC") in San Antonio, Texas. After review of Plaintiff's IFP application, the Court has determined his request to proceed IFP [#2] is **GRANTED**. Plaintiff's Complaint [#1] is accepted for filing without prepayment of fees, costs, or security.

The United States Clerk of Court ("the U.S. Clerk") is directed to mail a copy of this Order to the Custodian of the BCADC Detainee Trust Fund, BCADC, 200 N. Comal St., San Antonio, Texas 78207. Even though Plaintiff is not required to prepay his filing fees, a prisoner who brings a civil lawsuit IFP is subject to paying an initial partial filing fee, and thereafter, monthly payments until the total \$350.00 filing fee is paid in full. These payments will be automatically processed by Plaintiff's custodial institution.

I. Initial Partial Filing Fee

The Court is required to "assess and, when funds exist, collect," an initial partial filing fee

of “20 percent of the greater of the average monthly deposits to the prisoner’s account; or the average monthly balance in the prisoner’s account for the 6-month period immediately preceding the filing of the complaint.” *See* 28 U.S.C. § 1915(b)(1)(A)(B).

In this case, the Court has assessed Plaintiff must pay an initial partial filing fee of \$0.

II. Remaining Filing Fee Monthly Deductions

“After payment of the initial partial filing fee, the prisoner shall be required to make monthly payments of 20 percent of the preceding month’s income credited to the prisoner’s account.” 28 U.S.C. § 1915(b)(2). “The agency having custody of the prisoner shall forward payments from the prisoner’s account to the U.S. Clerk [of Court, 655 E. César E. Chávez Bld., Room G65, San Antonio, Texas 78206, referencing the case number in the style of this Order] each time the amount in the account exceeds \$10 until the filing fees are paid.” *Id.*

SIGNED this 26th day of September, 2019.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE